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627 671 578 The owner of the stolen property might go to the house of the man whom he suspected and, in turn, take articles to the value of those missing, thus provoking a quarrel. Disputes arising from such actions or from unjust accusations were settled by wrestling, where a fall in the ring decided the matter, or else by a stand-up fight with sticks; to administer a good beating was considered adequate compensation for the loss of goods or for the loss of a wife. If the thief was discovered, the stolen goods were returned in full by him or his family, or else goods of the same value were paid, or a gift might be made to the injured party, large enough to be considered adequate reparation.

626 763 If the thief was not discovered, his children, own or classificatory, born before or after the theft, would certainly die early deaths. The remarks of neighbors might then lead the thief to confess his earlier fault. In the confessional held round a death bed, thieving is one of the matters which relatives close to the dying person are particularly requested to confess.

674 627 Thieving was rare in Pukapuka, owing to ease of detection, but the stories of Nuanua and Kieilu show the type of behavior it evoked when it occurred:

> Nuanua was fishing on the back beach where he picked up a piece of driftwood bamboo to which he found several huge pearl shells attached. He took the bamboo to the lagoon and securely anchored it there to allow the shells to grow bigger. One night all the shells were stolen from the bamboo. Nuanua inquired everywhere, but with no results. He searched month after month, and many times interrogated Tipui, a man whom he suspected of the theft. All was fruitless, and Nuanua died without having found his shells. After this, the children of Tipui, and even of some of his relatives, began to die sudden, mysterious deaths. One day, Tipui himself became very sick. Everyone thought he would confess his theft. But he still feared surviving relatives of Nuanua. On his death bed, however, when he knew he could not recover from his illness, Tipui confessed his sin. It was too late to save his family which died out very soon thereafter.
>
> Kieilu was a noted warrior (*toa*) in the time of the chief Maina. One day he went bonito fishing. On his return, he put his line and six pearl-shell hooks in fresh water to wash out the salt. He put them in a little pool (*loto*) which then existed behind the present London Missionary Society church. Then he went to the back beach. Coming home again, he found that his rod and hooks had all disappeared. He hunted everywhere for them without result. Being a great warrior, he pulled down many of the houses close by, such was the frenzy of his search. He threatened to kill the people in those houses if they did not tell who had stolen the precious hooks. Every search proved fruitless, and to this day, these hooks have not been found. But the people who lived about this pool were called *manava ula* (red bellies). If one wishes to insult a person living in this place even today, one calls him *manava ula*, a terrible reminder of an earlier shame.
>
> The story of Waina, combining motifs of theft and murder, illustrates permissible individual retribution (3).

[578] Slander (*naku mana*, "throwing words") was apparently a common cause of dispute in former days, as, indeed, it is today. If one man slandered another, the injured party challenged the slanderer to a wrestling contest and tried to throw him. If he succeeded, he explained to the people that he tried for an extra bad fall because of the slander. If the injured party was

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that all the old villages should be temporarily deserted and that all the people should come to live together for a time in the one village of Loto. Maina decreed also that no man should take the life of another, whatever the provocation; that none should live apart from the rest of the people lest he seek to plot against the others and try by stealth to acquire more food than the rest. By concentrating the people in one village until the population greatly increased, Maina thought all schemes of revolt or killing would be easily detected. For a time Kieilu, a great-grandson of Maina and a man of great strength, served as Maina's executive agent and saw that his orders were all obeyed.

Maina foresaw the time when the people would want to go back to their own village sites again, and he thought it best that boundaries should be fixed against this time rather than be left to possible brawling and inter-village fighting with the victory going to the best fighters and not necessarily according to the needs of the population. Hence the stick wrestling contests (*tukukianga*) that fixed village boundaries as well as ownership of the reserves were held at this time (p. 33). But as long as the people were grouped in the one village, they pooled their food resources.

The village reserves were for the time controlled by the supreme chief of the island. Maina decreed that there should be rotation of use between the reserve talo beds and privately-owned (lineage) talo beds. This rotation was ensured by placing a prohibition (*lani*) of the chief upon the beds not in use. He had the people dig new talo pits and plant many nuts. Maina also put special controls on fishing, closing some parts of the reef and sea, leaving other parts open.

The Law of Pule Pae

Tuliayanga, who succeeded his father Maina, carried on the plan of having the people live in one village and use all the reserves as a common food supply. It is evident that the population was increasing more rapidly than the available food and that much stealing was going on, because Tuliayanga had built round the reserve of Uta a high stone wall with but two gates, and stationed a strong guard to control the reserve which he made tapu (*uukaya*). As this did not stop the stealing by the strong which consequently penalized the weak, Tuliayanga called a meeting of the men of the island to discuss whether people caught stealing should be put to death. This meeting to consider the law of *pule pae* (the guard kills) was heated, and because no clear decision could be reached, the matter was submitted to the executive officer, Te Tau, to make a final decision for all the people. Te Tau was in favor of *pule pae*, which became the law of the land.

Three days afterwards the two daughters of Te Tau visited the reserve by stealth and were caught by the Loto guard. The guard detained the girls and sent word to Te